

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

-----x  
CESARE PULEO, individually and on behalf of all others  
similarly situated,

Case No. 18-CV-05555 (NGG) (PK)

Plaintiff,

- against -

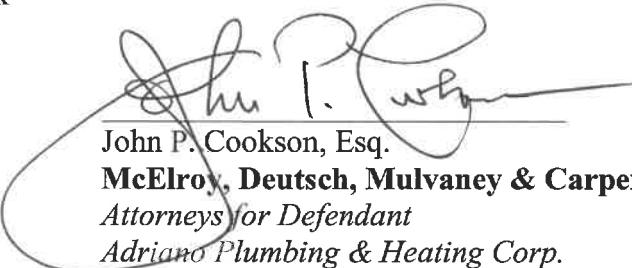
NIBCO, INC. and ADRIANO PLUMBING & HEATING  
CORP.,

Defendants,

-----x  
**NOTICE OF MOTION**

**PLEASE TAKE NOTICE**, that upon the accompanying Memorandum of Law dated May 22, 2019, the Affirmation in Support and the exhibits annexed thereto, and upon all of the pleadings and proceedings heretofore had herein, Defendant Adriano Plumbing & Heating Corp., by its attorneys, will move this Court, Eastern District of New York, 225 Cadman Plaza East, Brooklyn, New York, 11201, for an order dismissing the Amended Complaint herein pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure.

Dated: New York, New York  
May 22, 2019

  
John P. Cookson, Esq.

**McElroy, Deutsch, Mulvaney & Carpenter, LLP**  
*Attorneys for Defendant*  
*Adriano Plumbing & Heating Corp.*  
225 Liberty Street, 36<sup>th</sup> Floor  
New York, New York 10281  
Telephone: (212) 483-9490